

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA                    )  
                                                          )  
v.                                                    ) NO. 3:06-00147  
                                                          ) Judge Echols  
JERRY C. PENDERGRASS                    )

GOVERNMENT'S MOTION TO REVOKE RELEASE ORDER FOR DEFENDANT  
PENDERGRASS, TO ISSUE A BENCH WARRANT FOR DEFENDANT PENDERGRASS'S  
ARREST AND TO ORDER DEFENDANT PENDERGRASS DETAINED PENDING  
SENTENCING

The United States of America, by and through the Assistant U.S. Attorney and the Trial Attorney for the Department of Justice, Tax Division below, respectfully requests that this Court revoke the release order for defendant Pendergrass, order him detained pending sentencing and issue a bench warrant for the arrest of defendant Pendergrass. In support of this motion, the government would state that a hearing was held by this Court on Thursday, June 5, 2008, to determine the status of defendant Pendergrass. Although counsel for Pendergrass appeared on his behalf, defendant Pendergrass did not appear. Counsel for Pendergrass advised this Court that they had made several attempts, by telephone and mail, to contact Pendergrass and notify him of the required court appearance. Counsel stated that letters were sent, return receipt requested, and were signed for by unknown individuals at defendant Pendergrass's last known addresses. Despite these efforts to notify defendant, he did not appear for the hearing. Based on his failure to appear at all court hearings, as required by the order of release, defendant Pendergrass has violated the conditions of his release. Pursuant to 18 U.S.C. §§ 3145 and 3148,

the government requests that his release order be revoked and defendant detained pending sentencing in this case. Further, the government requests that this Court issue a warrant for the arrest of defendant Jerry Pendergrass.

Respectfully submitted,

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Middle District of Tennessee

BY /s/ *Jimmie Lynn Ramsaur*  
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was sent, if registered, via the Court's electronic filing system or, if not registered, sent via telefax and deposited in the United States Mail, postage prepaid, to Mr. Peter J. Strianse, AmSouth Center, 315 Deadrick Street, Suite 1700, Nashville, Tennessee 37238 and Ms. Kimberly S. Hodde, Esq., Hodde & Associates, 40 Music Square East, Nashville, TN 37203, this 10th day of June, 2008.

/s/ *Jimmie Lynn Ramsaur*  
JIMMIE LYNN RAMSAUR